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DISTRICT OF WYOMING  
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U.S. DISTRICT COURT

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF WYOMING

STATE OF WYOMING	)	
	)	
Plaintiff,	)	CASE NO. 01CV-086B
	)	
vs.	)	PLAINTIFF STATE OF WYOMING'S
	)	MOTION TO COMPEL PRODUCTION
UNITED STATES DEPARTMENT OF	)	OF DOCUMENTS WITHHELD ON AN
AGRICULTURE; UNITED STATES	)	IMPROPER CLAIM OF PRIVILEGE
FOREST SERVICE; Ann M. Veneman, in	)	
her official capacity as the Secretary of	)	
Agriculture; and Dale N. Bosworth, in his	)	
official capacity as the Chief Forester of the	)	
USDA Forest Service;	)	

Defendants, )  
)  
)  
and the WYOMING OUTDOOR )  
COUNCIL et al., )  
)  
Intervenors. )

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PLAINTIFF STATE OF WYOMING'S MOTION TO  
COMPEL PRODUCTION OF DOCUMENTS WITHHELD  
ON AN IMPROPER CLAIM OF PRIVILEGE

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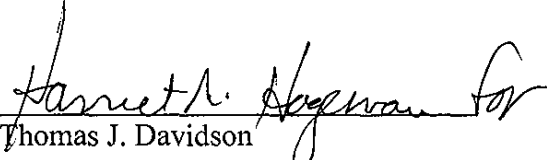
Plaintiff State of Wyoming, by and through its attorneys, hereby moves this Court pursuant to U.S.D.C.L.R. 83.7.2 for an Order compelling defendants produce those documents that have been withheld on an improper claim of privilege. In support of this motion Wyoming states as follows:

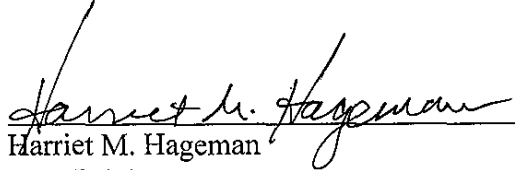
1. Plaintiff State of Wyoming has filed contemporaneously herewith its Motion to Supplement the Administrative Records related to the following Roadless Regulations:
  - a. **Roadless Area Conservation Final Rule**, 36 C.F.R. § 294 *et seq.* (Roadless Initiative)
  - b. Revisions to the **National Forest Management Act Planning Regulations**, 36 C.F.R. § 219 *et seq.* (Planning Regulations);
  - c. Revisions to the **Forest Transportation System Final Administrative Policy** (Transportation Policy); and

- d. Revisions to the **National Forest System Road Management Rule**, 36 C.F.R. § 212 *et seq.* (Road Management Rule).
2. Wyoming's Brief in Support of Motion to Supplement the Administrative Record describes in detail defendants' privilege claims, as well as the reasons why such claims are invalid and that the documents should be produced. Wyoming hereby incorporates its Brief in Support of Motion to Supplement the Administrative Record as though fully set forth herein. In the interest of judicial economy, Wyoming will rely upon the arguments in support of its Motion to Supplement the Administrative Record to support the current Motion to Compel.
3. Pursuant to U.S.D.C.L.R. 7.1(b)(1)(A), counsel for the State of Wyoming conferred by telephone with counsel for defendants regarding the relief requested herein. Despite good faith efforts, the parties were unable to resolve or narrow their disagreement, and defendants will oppose this Motion.
4. Based on the record herein, the State of Wyoming respectfully requests that this Court grant Plaintiff's Motion to Compel Production of Documents Withheld on an Improper Claim of Privilege.

RESPECTFULLY SUBMITTED this 10<sup>th</sup> day of July, 2002.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 10<sup>th</sup> day of July, 2002, a true and correct copy of the foregoing PLAINTIFF STATE OF WYOMING'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS WITHHELD ON AN IMPROPER CLAIM OF PRIVILEGE, was served upon the following as indicated:

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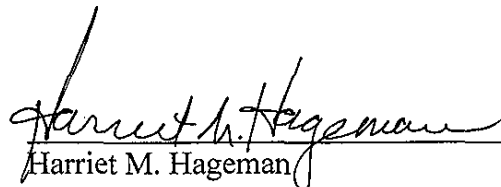
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